

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS

LARRY JAMES, Inmate # 220476,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	Case No. 11-cv-0253-MJR
	)	
RANDY J. DAVIS, WEXFORD	)	
HEALTHCARE SERVICES, and	)	
CHRISEY FENTON,	)	
	)	
Defendants.	)	

MEMORANDUM AND ORDER

REAGAN, District Judge:

This matter is before the Court for purposes of case management. On January 25, 2012, Plaintiff was ordered to file his First Amended Complaint no later than February 29, 2012, identifying the possible John Doe Defendants and fully specifying his claims against them in order to proceed with this case (Doc. 11, pp. 9-10). Plaintiff was clearly warned in that Order that failure to file a First Amended Complaint would result in dismissal of this case. *Id.* The date to file his First Amended Complaint has passed, and Plaintiff has failed to tender a proposed amended complaint as ordered.

Also in the January 25, 2012 Order, Defendants Davis, Wexford, and Fenton (the only named Defendants in this case) were dismissed from this action without prejudice, for failure to state a claim against them upon which relief could be granted. As a result, this action is **DISMISSED** without prejudice, for failure to state a claim upon which relief may be granted. This dismissal shall count as one of Plaintiff's three allotted "strikes" under 28 U.S.C. § 1915(g). Plaintiff's obligation to pay the filing fee for this action was incurred at the time the action was filed, thus the filing fee of

\$350 remains due and payable. See 28 U.S.C. § 1915(b)(1); *Lucien v. Jockisch*, 133 F.3d 464, 467 (7th Cir. 1998). The Clerk's Office is **DIRECTED** to close this case.

IT IS SO ORDERED.

DATED March 6, 2012.

s/ MICHAEL J. REAGAN  
Michael J. Reagan  
United States District Judge